

Message Text

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ORIGIN EB-08

INFO OCT-01 EA-07 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00
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DRAFTED BY EB/AN:TROESCH:VLV
APPROVED BY EB/TCA:JWBILLER
EB/OA:MHSTYLES
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CAB:RTJOHNSON
EA:EHEGINBOTHAM
-----261543 059250 /47
R 260317Z FEB 77
FM SECSTATE WASHDC
TO AMEMBASSY MANILA

C O N F I D E N T I A L STATE 043452

E.O. 11652: GDS

TAGS: EAIR, RP

SUBJECT: CIVAIR - PAL'S ALL-CARGO APPLICATION

REF: (A) MANILA 2566; (B) STATE 30478; (C) STATE 38949

1. DEPARTMENT REGRETS SHORT NOTICE EMBASSY HAD (REF B) OF PENDING CAB ACTION AGAINST PAL'S ALL-CARGO APPLICATION, BUT ADVISED EMBASSY AS SOON AS PRACTICABLE (FEB 10) AFTER IT LEARNED FROM BOARD (FEB 8) THAT SUCH ACTION WAS CONTEMPLATED. EMBASSY RESPONSE WAS RECEIVED AND CONSIDERED BEFORE BOARD ORDER WAS SUBMITTED TO THE PRESIDENT. DEPT OF COURSE HAS NO CONTROL OVER ACTIONS WHICH CAB AS INDEPENDENT REGULATORY AGENCY MAY INITIATE. AFTER BEING ADVISED OF PENDING DISAPPROVAL ORDER DATE, DEPT, IN CONJUNCTION WITH CAB, DECIDED IT WAS MOST PRACTICAL TO CONSULT EMBASSY ON THE PARTICULARS AT TIME OF US CIVAIR TEAM'S
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FEB 17-18 VISIT.

2. CAB'S ORDER IS A RECOMMENDATION TO THE PRESIDENT WHICH HE HAS 10 DAYS TO APPROVE OR DISAPPROVE. BECAUSE ORDER WAS SUBMITTED TO PRESIDENT FEBRUARY 17, PRESIDENTIAL ACTION CAN BE EXPECTED TO TAKE PLACE BY FEBRUARY 27. WE EXPECT THAT THE PRESIDENT WILL ALLOW THE ORDER TO GO

INTO EFFECT. STATE HAS OPTION OF RECOMMENDING AGAINST

PRESIDENT'S APPROVAL IF IT TAKES EXCEPTION TO CAB DECISION, BUT DEPT IS NOT PERSUADED THAT OBJECTION IS APPROPRIATE IN THIS CASE. CAB WILL STILL APPROVE PAL'S APPLICATION EVEN AFTER PRESIDENT HAS APPROVED ORDER IF IT RECEIVES ASSURANCES THAT FTL'S APPLICATION FOR CHANGE OF EQUIPMENT WILL BE APPROVED BY PHIL CAB.

3. ALTHOUGH DEPT APPRECIATES EMBASSY'S POSITION THAT "SYMPATHETIC CONSIDERATION" WAS NOT MEANT TO INSURE POSITIVE ACTION BY PHIL CAB, AS NOTED IN REF C PARA 2, GOP COULD BE EXPECTED TO ACT FAVORABLY ON REQUESTS THAT ARE ESSENTIALLY ECONOMICALLY INCONSEQUENTIAL, I.E., THE FTL APPLICATION. UNLESS "SYMPATHETIC CONSIDERATION" MEANS AT LEAST THIS MUCH, IT HAS NO MEANING WHATSOEVER.

4. LINKAGE OF LOS ANGELES TO THE ALL-CARGO PROBLEM WAS ASSERTED BY THE GOP; USG HAS NEVER ACCEPTED THIS LINKAGE. AT THE WASHINGTON, NOVEMBER 1976 MEETING WITH THE CIVAIR AUTHORITIES, IT WAS APPARENT THAT GOP HAD DECIDED NOT TO MOVE ON ANY OF THE MINOR REQUESTS BY US AIRLINES (OF WHICH ONE WAS FTL APPLICATION) IN ORDER TO BUILD UP LEVERAGE FOR ACQUIRING LOS ANGELES AT THE PROPOSED SUMMER 1977 CIVAIR NEGOTIATIONS.

5. DEPT STILL HOPES THAT EMBASSY CAN PERSUADE GOP TO ALLOW FTL TO CHANGE EQUIPMENT WHICH WOULD RESULT IN USCAB'S APPROVAL OF PAL'S ALL-CARGO FLIGHTS. SUCH MUTUAL CONFIDENTIAL

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ACTIONS WOULD BE WELCOMED FIRST STEP IN GRADUAL IMPROVEMENT OF US-PHILIPPINES CIVAIR RELATIONS.

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